

# **Federal Communications Commission**

1270 Fairfield Road  
Gettysburg, PA 17325-7245

OCT 28 1992

In Reply Refer To:  
7110-16

George Petrutsas  
Fletcher, Heald & Hildreth  
1225 Connecticut Ave., NW, Suite 400  
Washington, DC 20036

Dear Mr. Petrutsas:

This concerns the six applications filed by non-profit associations to operate trunked radio systems. The applicants are Metro New York Association, file number 571588; The Association for East End Land Mobile Coverage, file number 532866; Wireless Communications Association of Suffolk County, file number 534390; Central Suffolk Association of Land Mobile Users, file number 532865; New York LMR Association, file number 566318; and Land Mobile Radio Association of Long Island, file number 534391. Four of these applications were dismissed for failure to satisfy the provisions of Rule 90.631(a), while two remain pending. Petitions for reconsideration have been filed for the four applications which were dismissed.

The applicants have submitted for review by the Land Mobile Branch an agreement which was negotiated with the Compliance Branch. The agreement indicates:

- 1) Two of the applications, file numbers 532865 and 534391 will be withdrawn.
- 2) The four remaining applications would be granted with a loading requirement of 70 units per channel at the end of the first three years of the license term.
- 3) All the applicants involved, including those which withdrew their applications, agree not to file any applications or seek additional frequencies either directly or indirectly until the present channels are loaded to 70 units per channel.
- 4) Each entity receiving an authorization would not assign the authorization either directly or indirectly to any other entity during the first license term.
- 5) All remaining applicants would assure the Commission that service would only be provided to eligible parties and only on a non-profit cost shared basis.

George Petrusas

In light of Compliance Branch's support for this agreement, the Land Mobile Branch will grant the applications bearing file numbers 571588, 532865, 534390, and 566318 for a three year term to allow it to assess loading at the end of that period as agreed in item 2 above. Applications bearing file numbers 532865 and 534391, which were previously dismissed, will not be reinstated and no further petitions will be filed. The petitions on file are granted to the extent described in this agreement and otherwise denied. Further, it is understood that acceptance of this agreement does not modify Rule 90.631(a) which requires that trunked systems be assigned based on a loading requirement of 100 units per channel.

Sincerely,



for Terry L. Fishel  
Chief, Land Mobile Branch

cc: Peter Daronco

C

22 Jul 99 10:52

(202) 289-1504-&gt;

1-516-595-2521 G C &amp; D

Pg 002

### DECLARATION OF DOUGLAS NOPPER

1. My name is Douglas Nopper. I am currently the President and sole shareholder of Norcom Communications Corp. I am over eighteen years of age and competent to testify to the matters set forth herein.

2. Norcom provides SMR and other communications services on a for-profit basis. Norcom also manages land mobile communications systems that are licensed to other entities. I assumed control of Norcom pursuant to the FCC's grant of an application proposing the transfer of control of Norcom from my father, Robert Nopper, to me. That application was granted by the agency on July 31, 1997.

3. I had no role in the formation of the associations ("Associations") specified in the Commission's Order To Show Cause, Hearing Designation Order And Notice Of Opportunity For Hearing For Forfeiture ("HDO"). Similarly, I did not assist those entities in obtaining FCC licenses in the 1991-1992 time period. I was a college student in Albany, New York during that time period and had only limited involvement in Norcom's affairs.

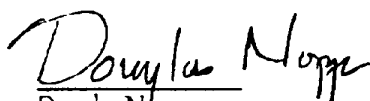
4. As an officer of Norcom, I oversee the company's retention of FCC licensing records and other business documents, including those records associated with the efforts of the Associations to secure FCC licenses in the 1991-1992 time period. Based on my review of those materials, I conclude that the licensing documents, management agreements, and other related materials pertaining to the each Association are generally very similar or nearly identical in form and substance. I learned, after reviewing the Bureau's discovery responses in this proceeding, that some of these documents were apparently lost in a June 1996 flood in Gettysburg, PA. See Wireless Telecommunications Bureau's Response to Association's Request for Admissions, dated February 1, 1999.

5. The end users of the facilities licensed to the Associations receive two-way radio service at costs that are typically less than one-half of the rates charged by SMR operators, including the rates charged to Norcom's customers.

6. It was my belief, prior to the initiation of the HDO proceeding, that the management agreements between Norcom and the Associations complied with FCC's legal standards concerning *de facto* control.

7. The applications for modification captioned in the HDO are applications for modification of existing Norcom stations that are unrelated to the facilities licensed to the Associations.

I declare, under penalty of perjury, that the foregoing is true and correct. 47 C.F.R. § 1.16 (1998). Executed on July 22, 1999.

  
Douglas Nopper

**D**

BEFORE THE

**Federal Communications Commission**

WASHINGTON, D.C. 20554

In the Matter of

NORCOM COMMUNICATIONS CORPORATION )  
ASS'N FOR EAST END LAND MOBILE COVERAGE )  
LMR 900 ASSOCIATION OF SUFFOLK )  
METRO NY LMR ASSOCIATION )  
NY LMR ASSOCIATION )  
WIRELESS COMM. ASSOCIATION OF SUFFOLK )  
COUNTY )

WTB Docket No. 98-181

To: Wireless Telecommunications Bureau

**CONSOLIDATED REQUEST OF THE  
ASSOCIATION FOR EAST END LAND MOBILE COVERAGE,  
LMR 900 ASSOCIATION OF SUFFOLK COUNTY AND  
NY LMR ASSOCIATION FOR ADMISSION OF FACT AND GENUINENESS  
OF DOCUMENTS BY THE WIRELESS TELECOMMUNICATIONS BUREAU**

The Association for East End Land Mobile Coverage , LMR 900 Association of Suffolk County, and NY LMR Association ("Associations"), by counsel, and pursuant to Section 1.246 of the Commission's Rules and the Presiding Judge's Order, released in this proceeding on January 5, 1999, hereby request that within ten (10) days of the service of this Request, the Wireless Telecommunications Bureau ("Bureau") admit the truth of the facts stated below and of the genuineness of the documents, copies of which are attached hereto as Exhibits 1 through 16. Each response shall be labeled with the same number as that given in this Admission Request.

WTB Docket No. 98-181

Exhibit 1

Application of the Association for East End  
Land Mobile Coverage, File No. 532866,  
filed with FCC on February 20, 1991, and  
Attachment A to that Application

FCC 574

August

See reverse side for information regarding public burden estimate.

Approved by OMB

3000-0128

Expires 3/31/92

## APPLICATION FOR PRIVATE

IMPORTANT NOTICE: ALL applicants MUST include the information required by the Commission in their applications. Refer to the current form for publication or contact the Consumer Assistance Branch, Federal Communications Commission, Gettysburg, PA 17326 (717) 337-1212.

## MOBILE RADIO SERVICES 35.00

COMMUNICATIONS ONLY:

532866

Page No. of

1.	Frequency (MHz)	2. Emission Class	3. No. of Units	4. Emission Designator	5. Output Power	6. E.R.P.	7. A.A.T.	8. Ground Station	9. Ant. Hgt. To Top	10. Antenna Latitude	11. Antenna Longitude	12. Number of Mobiles By Category
A	856.9125	FB2	1	20F3	75	190	302	291	45	40-58-26	72-20-15	Vehicle <u>500</u>
A	857.9125	FB2	1	20F3	75	190	302	291	45	40-58-26	72-20-15	Portable _____
A	858.8125	FB2	1	20F3	75	190	302	291	45	40-58-26	72-20-15	Aircraft _____
A	859.8625	FB2	1	20F3	75	190	302	291	45	40-58-26	72-20-15	Marine _____
A	860.7875	FB2	1	20F3	75	190	302	291	45	40-58-26	72-20-15	Pages _____
G	811.9125	FX1	29	20F3	30	82						13. Area of Operation for Mobiles, Temporary or Stationary
G	812.9125	FX1	22	20F3	30	82						in <u>30</u> miles radius of station A.
G	813.8125	FX1	29	20F3	30	82						or to _____ miles radius of coordinates
G	814.8625	FX1	29	20F3	30	82						Lat _____
H	811.9125	MO	<u>500</u>	20F3	30	45						Long _____
H	812.9125	MO	<u>500</u>	20F3	30	45						County _____
H	813.8125	MO	<u>500</u>	20F3	30	45						State _____
H	814.8625	MO	<u>500</u>	20F3	30	45						If not, please check ONE.
H	815.7875	MO	<u>500</u>	20F3	30	45						<input checked="" type="checkbox"/> Countrywide

14. Station Address or Geographic Location	15. City	16. County	17. State
A Ferrara Tower	Sag Harbor	Suffolk	NY
B _____	_____	_____	_____
C _____	_____	_____	_____
D _____	_____	_____	_____
E _____	_____	_____	_____
F _____	_____	_____	_____

18. Location of Primary Control Point (include telephone number) and location of all Radio Control Stations with antenna under 20 ft. (See instructions.)	19. Freq. Advisory Comm. No.	20. Radio Service
70-C Corbin Avenue No #22 Bay Shore, New York 11706 11-16-92 516-595-2555 11-16-95 144 S/C Gentile President/owner All control stations (FX1) will meet at 11-16-92 and comply with the 20 ft. rule. <u>30 miles</u> meet a loading requirement of 70 mobiles Per channel at the end of 3 years	910420162	YB
21. Applicant/Licensee Name (See instructions)	The Association for East End Land Mobile Coverage	
22. Mailing Address (Number & Street, P.O. Box or R.F. No.)	ATTN: Timothy J. Mangan ADDRESS: 70-C Corbin Ave.	
23. City	24. State	25. ZIP Code
Bay Shore	NY	11706

26. Will antenna be mounted on a structure with an existing antenna? If yes, give call sign and radio and radio service of existing license.	27. Provide description of the structure which your antenna is mounted and the height above ground to the top of the structure. (See antenna figures 1-3 as example for examples.)	28. Give the name of the nearest aerial landing area and the distance and direction to the nearest runway.
No Yes	Call Sign	Radio Service

No	Yes	Call Sign	Radio Service	STATION TYPE	Structure Height Above Ground	Aerial Landing Area Name	Distance (Miles)	Direction
A	Yes	NNNP502	YX	Tower	45			
B								
C								
D								
E								
F								

29. Has notice of construction or alteration been filed with the FAA? If yes, give the date filed, the name under which filed, and the FAA office where filed.	30. Applicant Classification	31. Eligibility (Describe Activities)
No Yes	Date Filed	Name Under Which Filed
A		
B		
C		
D		
E		
F		

32. Application is for (check one)	33. Does application include complete system?	34. Supplemental Information for Licensed and Conventional Systems 425-831; 851-860 MHz and 825-901/915 MHz frequency bands
<input type="checkbox"/> Modification <input type="checkbox"/> Assignment <input type="checkbox"/> New Station <input type="checkbox"/> Reinstatement <input type="checkbox"/> Renewal	Yes No	Indicate Type of Applicant: <input checked="" type="checkbox"/> a) Independent <input type="checkbox"/> b) Commercial (SMB, etc.)
35. Would a proposed change of your application for a station which may have a significant environmental effect as defined by Section 1.1307 of the Commission's Rules? If yes, submit the statement as required by Section 1.1308 and 1.1311.	36. Applicant is a non-profit association proposing to provide radio service to eligible entities in the business radio service on a non-profit basis.	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See ATTACHMENT A	

90.75(b)  
90.603(b)



16. If other than new version, list all signals of existing stations to be modified, combined or retained

39. I warrant completing this application form(s):

George Petrulsus  
Telephone No. (202) 828-5700

**FOR COORDINATOR USE ONLY:**

~~SECRET~~

2.199

CCW

NABER  
CERTIFIED  
6-4-91

**DMD**

**U c) Community Register (Owner)**

4) GIVE me 15 new SMSs between 2005 and 2011 and allocate the loading

Type of wires: (Check one)

☐ a) Conventional. Specify the number of machine units to be placed in operation at the time of start:

☒ b) Trunked. Specify the number of trunked channels requested: 5 channels

Concussion Band Requested: (Check One) ☒ YES ☐ NO

**CERTIFICATION, READ CAREFULLY BEFORE SIGNING**

WPA7978

1. The applicant certifies that a true and correct copy of the request for information has been submitted to the Freedom of Information Act, Washington, DC 20540 (202) 753-3227.

2. Applicant warrants:  
a. Applicant will have authority to execute this application.  
b. Applicant is not a member of the Communist Party, the National Socialist Party, or any other organization which advocates the overthrow of the Government of the United States.  
c. Applicant certifies that the information requested is not exempt from disclosure under the Freedom of Information Act, 5 U.S.C. 552.  
d. Applicant certifies that the information requested is not exempt from disclosure under the Privacy Act, 5 U.S.C. 552a.  
e. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
f. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
g. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
h. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
i. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
j. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
k. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
l. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
m. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
n. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
o. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
p. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
q. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
r. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
s. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
t. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
u. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
v. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
w. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
x. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
y. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.  
z. Applicant certifies that the information requested is not exempt from disclosure under the Government Information Security Act, 5 U.S.C. 552a.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001

**Typed/Printed Name:**

TIMOTHY J. FRANGAN

**SERIALS: 'MUST BE ORIGINAL'**

Telephone No. \_\_\_\_\_

516, 595, 7555

Date: 2-4-9

## ATTACHMENT A

List of prospective shared users  
of the trunk system proposed by  
The Association for East End Land Mobile Coverage

Colonial Mechanical 278 Indian Head Road Kings Park, NY 11754 Attn: Ken Mullen (516) 544-4500	14 Mobiles
Long Island Oil Inc. P.O. Box 147 Massapequa Park, NY Attn: Frank Sheridan (516) <del>799-3111</del>	10 mobiles
Sun Set Sanitation 82 Modular Avenue Commack, NY 11725 Attn: Frank Palopoli (516) 543-1890	9 mobiles
Set To Fit 65 Howard Avenue Stamford CT 06902 Attn: Bill Mackesy (203) 325-8800	11 mobiles
Asphalt Pavers Inc. 500 Patton Avenue West Babylon, NY 11704 Attn: Herb Payne (516) 420-1040	14 Mobiles
AFCO Precast Corp. 250 Orchard Road E. Patchogue, NY 11772 Attn: Richard Affenita (516) 654-3370	11 mobiles
Adam Russell Cable Service 116 North Main Street Port Chester, NY 10573 Attn: Jeff cordoco (914) 937-8689	11 mobiles
All American Pools 8-10 Van Tassel Court Norwalk, CT 06851 Attn: John Romano (203) 847-2704	13 mobiles
Maniac <sup>778</sup> Leasing Corp. 191 Cabot Street W. Babylon, NY 11704 Attn: John White	19 mobiles
Airborne Freight Corp. 1915 Stratford Ave. Stamford, CT 06497 Attn: Martin Longley (206) 281-4828	42 mobiles

WTB Docket No. 98-181

Exhibit 2

Application Return Notice for the  
Private Land Mobile Radio Service,  
dated April 10, 1991, File Ref. 532866 YB,  
addressed to Fletcher, Heald & Hildreth and  
referring to The Association for East End  
Land Mobile Coverage

Federal Communications Commission  
Gettysburg, PA 17326

### Application Return Notice for the Private Land Mobile Radio Service

Fletcher, Heald & Hildreth  
Suite 400, 1225 Connecticut Ave., N.W.  
Washington, D.C. 20036-2679

RE: The Association for East End  
Land Mobile Coverage

Date Apr 11 10, 1991

File No. 532866-YR

DKB

**INSTRUCTIONS:** Your application for station authorization is returned for the reason(s) checked below. Complete or correct your application, resign and date your application in the space provided on the reverse side. Return this and all enclosures to the above address. See "NOTICE TO APPLICANT" on the reverse of this form.

- ☐ Your eligibility is unclear. Please provide a more detailed description of your activities and how radio will be used in connection with them.
- ☐ If you are requesting authority to acquire a station presently licensed to another person or entity, you should check "Assignment of Authorization" in item 32. Complete the application giving all information pertaining to the new licensee (including eligibility showing) and include a completed FCC Form 1046, Assignment of Authorization, or a similar declaration signed by the present licensee, with your application.
- ☐ Please advise if the Control you show in item 18 is a Control Station or Control Point. For Control Stations, complete Items 1 through 11 (except 7), 14 through 17, and 26 through 29. If the Control Station complies with the 20 ft. criterion as defined in Rule Section 90.119(a)(2)(ii), complete only Items 1 through 5. Evidence of frequency coordination is required for stations not meeting the 20 ft. rule.

XXXXXX

You **MUST** resubmit this application through your frequency coordinator if you are requesting the licensing of a new station, modifying an existing licensed station, or if you are making ANY CHANGE to information in Items 1 through 25 which has previously been coordinated. See Rule Sections 90.135 and 90.175. **FAILURE TO DO SO COULD RESULT IN DISMISSAL OF YOUR APPLICATION AND FORFEITURE OF ANY FEE(S) PAID.** Failure to re-submit your application in a timely manner as explained on the reverse of this form will also result in loss of any previously paid fee(s).

- ☐ Your application is being returned because it did not include frequency coordination as required by Rule Section 90.175. It is recommended that you contact the frequency coordinator in advance to determine if payment of a coordination fee is necessary. Such fees are separate and distinct from any fee charged by the Commission. Please include this Return Notice with your submission to the frequency coordinator to indicate that any necessary Commission fees have been paid. Failure to resubmit your application in a timely manner as explained on the reverse of this form will result in loss of any previously paid fee(s).
- ☐ Item(s) \_\_\_\_\_ should be completed or corrected.

XXXXXX

**OTHER:** Please submit a photocopy of your Articles of Association and a copy of the agreement among participants.

On the Attachment A, list of prospective shared users, you only show a total of 154 mobiles and no controls whereas you show 350 mobiles and 29 controls on your application. You must either amend your application to show the correct number of mobiles and controls or provide a list of all participants with addresses and phone numbers and a number of mobiles commensurate with the number of participants listed.

Your system does not meet the loading requirements as required by Rule 90.631(a). An anticipated loading of 379 units does not justify 5 channels. Rule 90.631(a) requires an anticipated loading of 100 units per channel.

Please clarify if there is any party of interest between Central Suffolk Association of Land Mobile Users and The Association for East End Land Mobile Coverage.

ENCLOSURE

SEE REVERSE SIDE

FCC 1034G  
October 1989

WTB Docket No. 98-181

Exhibit 3

Letter dated May 24, 1991  
from George Petrutsas, Counsel for  
The Association for East End Land  
Mobile Coverage to the Federal Communications  
Commission referring to the application  
file No. 532866

5729

May 24, 1991

Federal Communications Commission  
Licensing Division  
Land Mobile Branch  
Gettysburgh, PA 17326

Re: The Association for East  
End Land Mobile Coverage  
File No. 532866

Dear Sir/Madam:

On behalf of The Association for East End Land Mobile Coverage, I am re-submitting its application along with the information requested in the Commission's return notice dated April 10, 1991.

Addressing the question raised concerning the number of mobile units, the Association has amended the application to request authorization for 500 units. In its amendment, the applicant also certifies that it will serve at least 70 mobiles per channel during the term of the license. Section 90.631(b), which governs the question, merely requires that the applicant

"...shall certify that a minimum of 70  
mobiles for each channel authorized will be  
placed in operation within five years of the  
limited grant."

The applicant has so certified. Attachment A to the initial application contained the list of entities who have already arranged to receive service from the applicant. As others also make arrangements, the coordinator will be notified, but it is respectfully submitted that Section 90.631(b) does not require enough pre-authorization commitments to fill all of the channels requested.

Section 90.631(b) applies to authorization and loading of all trunked systems. Certainly, SMR applicants do not have to show in their initial applications that they have already signed up users with 500 mobiles in order to qualify for a 5-channel

Licensing Division  
Land Mobile Branch  
May 24, 1991  
Page Two

trunked system. There is no reason to treat non-profit associations differently. Different treatment would be discriminating and, therefore, unlawful. Therefore, the applicant's certification that it will fill the channels during the term of its license qualifies it for the assignment of the channels requested.

The applicant has also submitted a copy of its Articles. Please be advised that under the laws of the State of New York, these articles do not have to be filed with the State, and they have not been filed. Nevertheless, the articles are valid and of full force and effect.

A copy of the standard sharing agreement is also submitted. All sharing agreements will have the same basic provisions. The difference would involve facts particularly relevant to the sharing entity involved.

It should be noted that non-profit entities are one of the three major eligible categories listed in Section 90.603 of the Commission's Rules. Non-profit associations are not only eligible but a good, cost-effective method for bringing to the business public the benefits of trunked land mobile communications.

In short, grant of this application would be in accordance with the Commission's Rules, and it would be eminently in the public interest.

Please communicate with us if you need further information.

Very truly yours,

George Potrutsas  
Counsel for The Association for  
East End Land Mobile Coverage

GP/cm

WTB Docket No. 98-181

Exhibit 4

Amendment: The Association  
for East End Land Mobile Coverage  
File No. 532866-YB, dated 5-23-91,  
signed by Timothy J. Mangan



AMENDMENT

The Association for East End  
Land Mobile Coverage  
File No. 532866-YB

The above-referenced application is amended as follows:

1. Item 3 line H and Item 12 are changed to read 500.
2. Copy of the Article of Association is attached.
3. Copy of the standard sharing agreement is attached.
4. Applicant certifies that a minimum of 70 mobiles per channel will be placed in operation within five (5) years of the grant of this application.
5. There is no relationship between this Association and the Central Suffolk Association of Land Mobile Users, Wireless Communications Association of Suffolk County, or Land Mobile Radio Association of Long Island. Each is an independent association. The control point and mailing address is that of Norcom Communications Corporation. It is anticipated that Norcom will provide facilities for and will operate the control point of this association as a contractor. Norcom also helped organize this association.

The Association for East  
End Land Mobile Coverage

Date: 5-23-91 By: Timothy J. Mangan  
Timothy J. Mangan

WTB Docket No. 98-181

Exhibit 5

Articles of Association of  
the Association for East End  
Land Mobile Coverage, dated 10/2/90,  
signed by Timothy J. Mangan

## ARTICLES OF ASSOCIATION

OF

## THE ASSOCIATION FOR EAST END LAND MOBILE COVERAGE

We, the undersigned natural persons of the age of eighteen years or more, acting as founders of an Association, adopt the following Articles of Association for such association pursuant to the laws in the State of New York.

First: The name of the association is

THE ASSOCIATION FOR EAST END LAND MOBILE COVERAGE

Second: The period of duration is perpetual.

Third: The purpose or purposes for which the association is organized are to promote the interests of land mobile radio communications users and to furnish radio communication services on a nonprofit, cost-sharing basis to persons and entities eligible for land mobile radio licenses under the rules and regulations of the Federal Communications Commission.

Fourth: The manner in which the directors and officers of the association shall be elected or appointed shall be provided in the bylaws.

Fifth: Provisions for the regulation of the internal affairs of the association, including provisions for the distribution of assets on dissolution or final liquidation, are as follows:

The association shall be strictly a nonprofit, non-stock organization. No part of its net earnings shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that the association shall be authorized to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Third hereof. Notwithstanding any other provision of these articles, the corporation shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under section 501(c)(6) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States internal revenue law). Upon the dissolution of the association, the Board of Directors shall, after paying or making provision for the payment of all of the liabilities and obligations of the association, dispose of the assets of the association in accordance with the provisions of the association bylaws.

Sixth: The address, including street and number, of the association's initial office is 70-C Corbin Avenue, Bay Shore, New York 11704.

Seventh: The number of directors constituting the initial Board of Directors is three (3), and the names and addresses, including street and number, of the persons who are to serve as the initial directors until the first annual meeting or until their successors are elected and qualified are:

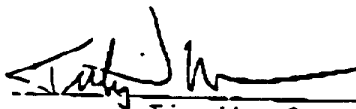
William Larkin  
3 Patrician  
Holbrook, NY 11741

Harry Rosenberg  
40-B Corbin Ave.  
Bay Shore, NY 11706

Timothy J. Mangan  
77 Suffolk Street  
Freeport, NY 11520

Eighth: The name and address, including street and number, of each founder of the association are:

Timothy J. Mangan  
77 Suffolk Street  
Freeport, New York 11520



Timothy J. Mangan

Dated: 10/2/90

cla/OF#2/Articles

WTB Docket No. 98-181

Exhibit 6

Radio Station Sharing Agreement  
(Blank)

Admissions of  
Genuineness of Documents

1. Exhibit 1 is a genuine copy of the application of the Association for East End Land Mobile Coverage, filed with the Federal Communications Commission ("Commission") on or about February 20, 1991.
2. Exhibit 2 is a genuine copy of the Application Return Notice, dated April 10, 1991, from the Commission, addressed to the law firm of Fletcher, Heald & Hildroth, and referring to the application of the Association for East End Land Mobile Coverage, File No. 532866.
3. Exhibit 3 is a genuine copy of a letter, dated May 24, 1991, addressed to the Commission's Licensing Division, Land Mobile Branch, and referring to the application of the Association for East End Land Mobile Coverage, File No. 532866, which was received by the Commission on or about May 25, 1991.
4. Exhibit 4 is a genuine copy of an amendment to the application of the Association for East End Land Mobile Coverage, File No. 53286-YB, dated 5/23/91 and received by the Commission on or about May 25, 1991.
5. Exhibit 5 is a genuine copy of a document titled the Articles of Association of the Association for East End Land Mobile Coverage, dated 10/2/90, received by the Commission on or about May 25, 1991.
6. Exhibit 6 is a copy of a document titled Radio Station Sharing Agreement, received by the Commission on or about May 25, 1991.
7. Exhibit 7 is a genuine copy of the Application Return Notice, dated July 15, 1991,

from the Commission, addressed to the law firm Fletcher, Heald & Hildreth and referred to the application of the Association for East End Land Mobile Coverage, File No. 532866-YB.

8. Exhibit 8 is a genuine copy of a letter from the Association for East End Land Mobile Coverage, dated August 26, 1991, addressed to the Commission and referring to the application File No. 532866-YB, which was received by the Commission on or about August 30, 1991.
9. Exhibit 9 is a genuine copy of a letter, dated August 29, 1991, from George Petrutsas, Fletcher, Heald & Hildreth, addressed to the Commission and referring to four applications, including the application of the Association for East End Land Mobile Coverage, File No. 532866-YB, which was received by the Commission on or about August 30, 1991.
10. Exhibit 10 is a genuine copy of a Commission letter, dated March 10, 1992, addressed to Timothy J. Mangan, The Association for East End Land Mobile Coverage and referring to application File No. 532866.
11. Exhibit 11 is a genuine copy of a letter, dated April 3, 1992, addressed to Ralph A. Haller, Chief, Private Radio Bureau, Federal Communications Commission, from George Petrutsas, Fletcher, Heald & Hildreth, referring to the application of the Association for East End Land Mobile Coverage, File No. 532866, titled REQUEST FOR RECONSIDERATION, which was received by the Commission on or about April 4, 1992.
12. Exhibit 2 is a genuine copy of a letter, dated September 24, 1992, from George

Petrutsas, Fletcher, Heald & Hildreth, addressed to Mr. Terry L. Fishel, Chief, Land Mobile Branch, Federal Communications Commission referring to six (6) applications, including the application of the Association for East End Land Mobile Coverage, which was received by the Commission on or about September 25, 1992.

13. Exhibit 13 is a genuine copy of a letter, dated September 17, 1992, addressed to Mr. Terry L. Fishel, Chief, Land Mobile Branch, Federal Communications Commission, from six associations, including the Association for East End Land Mobile Coverage, referring to six (6) applications, including the application of the Association for East End Land Mobile Coverage, which was received by the Commission on or about September 25, 1992.
14. Exhibit 14 is a genuine copy of a letter, dated September 17, 1992, addressed to Terry L. Fishel, Chief, Land Mobile Branch, Federal Communications Commission from Timothy J. Mangan, The Association for East End Land Mobile Coverage, referring to the Association's application file No. 532866, which was received by the Commission on or about September 25, 1992.
15. Exhibit 15 is a genuine copy of a letter from the Commission, dated October 28, 1992, addressed to George Petrutsas, Fletcher, Heald & Hildreth, signed for Mr. Terry L. Fishel by Michael J. Regic, referring to six applications, including the application of the Association for East End Land Mobile Coverage, File No. 532866.
16. Exhibit 16 is a genuine copy of a Federal Communications Commission license



issued to the Association for East End Land Mobile Coverage on November 16, 1992, for Station WPA-918.

Admissions of Fact

17. The documents in the foregoing Exhibits 1 through 14 were before the Commission's staff and were taken into account when the staff issued the letter identified as Exhibit 15 and in granting the license, Exhibit 16.
18. Documents the same as, or substantially the same as, the documents identified in Exhibits 1 through 14 (except for the name of the applicant and the file number) were before the Commission's staff and were taken into account when the staff issued the letter identified as Exhibit 15 and in granting the license (Exhibit 16) to LMR 900 Association of Suffolk County, New York LMR Association, Metro NY LMR Association, and to Wireless Communications Association of Suffolk County.

Respectfully submitted

ASS'N FOR EAST END LAND MOBILE COVERAGE  
LMR 900 ASSOCIATION OF SUFFOLK COUNTY  
NY LMR ASSOCIATION

By: 

George Petrutsas  
Ann Bavender

Their Attorneys

FLETCHER, HEALD & HILDRETH, P.L.C.  
1300 North 17th Street  
11th Floor  
Rosslyn, VA 22209  
(703) 812-0400

Date: January 14, 1999